

ALAN GOLDMAN	*	CIVIL NO.: 24CV01136
	*	
Plaintiff	*	
	*	
V	*	
	*	
McCONNELL VALDES, LLC;	*	
ANTONIO A. ARIAS-LARCADA, ET AL	*	
	*	
Defendants	*	
	/	

TO THE HONORABLE COURT:

1. On August 27<sup>th</sup>, 2024, Defendants, Antonio Arias, María Beale and McConnell Valdés, LLC, filed their “Motion Requesting Physical and Mental Examination of Plaintiff Under Fed.R.Civ.P. 35”. [DE 34]
2. On September 18<sup>th</sup>, 2024, this Honorable Court entered an Order granting Defendants’ motion and ordered Plaintiff Alan Goldman to “submit to a mental and physical examination to be performed by Dr. José A. Franceschini on October 21 and 23, 2024 at 10:00 a.m. at Dr. Franceschini’s office.” [DE 45]
3. On October 1<sup>st</sup>, 2024, the undersigned counsel sent an email to Defendants, Antonio Arias, María Beale and McConnell Valdés, LLC’ counsel Mr. Manuel San Juan, that reads as follows: “Dear Mr. San Juan: Please be advised that Mr. Alan Goldman is notifying that he will not be able to travel to San Juan for the examination that has

been set for October 21 & 23, 2024. I have asked him to produce the medical order and any records that will explain his current health condition and I will forward said documents to you as soon as I receive these. On another note, please send me your expert witness' list of previous cases in which he has been retained to provide his expert opinion. Best regards, Francisco M. López-Romo.” See, Exhibit 1.

4. On this date, October 10<sup>th</sup>, 2024, Amy E. Renner, NP of UVM Health Network, CVMC Family Medicine – Main Campus of the University of Vermont Health Network, Central Vermont Medical Center entered a medical certification that reads as follows:

“Patient: Alan B Goldman  
Date of Visit: 10/10/2024

To Whom It May Concern:

It is my medical opinion that Alan Goldman (DOB: 3/26/1958) should not travel out of the country due to multiple medical conditions.

Sincerely,

Electronically signed by Amy E. Renner, NP”. See, Exhibit 2.

5. Plaintiff, Alan Goldman is willing to pay for any traveling time and travelling expenses if Defendants' expert, Dr. Franceschini is willing to travel to Vermont and perform Plaintiff, Alan Goldman's physical and mental examination at Mr. Goldman's residence.
6. Plaintiff, Alan Goldman respectfully requests from this Honorable Court to take notice of this motion and to grant relief, either by setting aside the previous court order, that was entered on September 18<sup>th</sup>, 2024, or by modifying the court's order so that Plaintiff, Alan Godman's physical and mental examination shall be performed at Plaintiff, Alan Goldman's residence.

WHEREFORE, Plaintiff, Alan Goldman respectfully requests from this Honorable Court to take notice of this motion and to grant relief, either by setting aside the court's order entered on September 18<sup>th</sup>, 2024, or by modifying the court's order by ordering that the physical and mental examination be performed at the place of residence of Plaintiff, Alan Goldman, and grant such further relief as the Court may deem to be just and proper.

RESPECTFULLY REQUESTED.

In Miami, Florida, on this 10<sup>th</sup> day of October 2024.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 10<sup>th</sup> day of October 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all the counsel of record.

*s/Francisco M. López-Romo*  
FRANCISCO M. LOPEZ-ROMO  
USDC-PR NO. 118314

PO Box 331823  
Coconut Grove, Florida 33233  
Telephone: 305-772-5577  
Email: [lopezromo@gmail.com](mailto:lopezromo@gmail.com)